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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
SHIGEHICO IMAGAWA, ET AL. : EXAMINER: O'DELL, DAVID K.  
SERIAL NO: 10/537,407 :  
FILED: JUNE 2, 2005 : GROUP ART UNIT: 1625  
FOR: ERYTHROPOIETIN PRODUCTION :  
ACCELERATOR

RESPONSE TO THE REQUIREMENT FOR RESTRICTION

AND AMENDMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Requirement for Restriction mailed March 18, 2008, Applicants elect, without traverse, Group I: Claims 1-15 drawn to compounds and compositions with a pyridyl-piperidinyl-pyridyl core where in formula 1 of claim 1,  $\ell$  is 1; m is O; x is  $\text{NR}_4$ ;  $\text{R}_4$  is phenyl;  $\text{W}^1=\text{W}^2=\text{N}$ , shown as structure I figure 1, and elect as species 4-[N-(4-methoxyphenyl)-N-[[5-(3,4,5-trimethoxyphenyl)pyridin-3-yl]methyl]amino]-1-[[2-(3,4,5-trimethoxyphenyl)pyridine-4-yl]methyl]piperidine or a salt thereof or a solvate thereof. This compound is shown in Preparation Example 13 on page 52 of the application.

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

**Remarks/Arguments** begin on page 15 of this paper.